

**KOLESAR & LEATHAM**  
400 S. Rampart Boulevard, Suite 400  
Las Vegas, Nevada 89145  
**TEL:** (702) 362-7800 / **FAX:** (702) 362-9472

1 BART K. LARSEN, ESQ.  
2 Nevada Bar No. 8538  
**KOLESAR & LEATHAM**  
3 400 South Rampart Boulevard, Suite 400  
4 Las Vegas, Nevada 89145  
Telephone: (702) 362-7800  
Facsimile: (702) 362-9472  
E-Mail: blarsen@klnevada.com

6 || Attorneys for Defendants

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

\* \* \*

**BRANCH BANKING AND TRUST  
COMPANY, a North Carolina banking  
corporation,**

CASE NO. 2:12-cv-00452-JCM-GWF

Plaintiff,

VS.

JONES/WINDMILL, LLC, a Nevada limited liability company; YOEL INY; NOAM SCHWARTZ; YOEL INY, Trustee of the Y&T INY FAMILY TRUST dated June 8, 1994; NOAM SCHWARTZ, Trustee of the NOAM SCHWARTZ TRUST dated August 19, 1999; D.M.S.I., L.L.C., a Nevada limited liability company; and DOES 1 through 10, inclusive,

## Defendants.

**STIPULATED ORDER TO VACATE JUDGMENT  
AND TO DISMISS ACTION WITH PREJUDICE**

Plaintiff BRANCH BANKING AND TRUST COMPANY (“BB&T” or “Plaintiff”), by and through its undersigned counsel of record, and Defendants JONES/WINDMILL, LLC, YOEL INY, NOAM SCHWARTZ, YOEL INY as Trustee of the Y&T INY FAMILY TRUST dated June 8, 1994, NOAM SCHWARTZ as Trustee of the NOAM SCHWARTZ TRUST dated August 19, 1999, and D.M.S.I., L.L.C. (collectively “Defendants”), by and through their

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1 undersigned counsel of record, hereby stipulate and agree to the entry of this Stipulated Order by  
2 this Court providing as follows:

3           1. The Judgment entered in this action in favor of BB&T and against Defendants on  
4 July 7, 2016 [ECF No. 169] in the amount of \$908,900.07 is hereby vacated;

5       2. The Judgment entered in this action in favor of BB&T and against Defendants on  
6 December 15, 2017 [ECF No. 204] awarding BB&T attorney fees in the amount of \$180,270.43  
7 is hereby vacated;

8           3. All claims and counterclaims asserted in this action are hereby dismissed with  
9 prejudice; and

10       4. The parties shall each bear their own attorney fees and costs incurred in  
11 connection with this action.

## IT IS SO STIPULATED.

13 | DATED this 19th day of December, 2017.

DATED this 19th day of December, 2017.

14 || HOLLAND & HART LLP

## KOLE SAR & LEATHAM

16 || By \_\_\_\_ /s/

By \_\_\_\_\_ /s/

17 JEREMY J. NURK, ESQ.  
FRANK Z. LAFORGE, ESQ.  
5441 Kietzke Lane, Second Floor  
18 Reno, Nevada 89511

BART K. LARSEN, ESQ.  
400 South Rampart Boulevard, Suite 400  
Las Vegas, Nevada 89145

*Attorneys for Plaintiff*

Attorneys for Defendants

## **IT IS SO ORDERED.**

Xem C. Mahan  
UNITED STATES DISTRICT JUDGE

December 22, 2017  
DATED: